

SOUTH CAROLINA
**DEPARTMENT OF HEALTH
AND
ENVIRONMENTAL CONTROL
MINE OPERATING PERMIT**

PART I:

**B, M, & P Sandpit Mine
Brown, Moore & Patrick, LLC**

Brown, Moore & Patrick, LLC, a Limited Partnership, has been granted a Mine Operating Permit, Mine Permit Number I-001574 from the S.C. Department of Health and Environmental Control (Department) to operate the B, M, & P Sandpit Mine in the County of Georgetown. This permit grants Brown, Moore & Patrick LLC the right to operate the B, M, & P Sandpit Mine in accordance with the S.C. Mining Act (S.C. Code Sections 48-20-10 *et seq.*, 1976) and Regulations 89-10 *et seq.* This permit document reflects submitted information from the application process for a Mine Operating Permit. The operator shall conduct this operation as represented in documents submitted to support the issuance of this permit.

R. CRAIG KENNEDY, P.G., ASSISTANT DIRECTOR
DIVISION OF MINING AND SOLID WASTE MANAGEMENT

PERMIT NUMBER: I-001574

ISSUED: DRAFT November 21, 2005

EXPIRES: December 31, 2008 or subsequent to modifications of the mine termination date as referenced in the Reclamation Schedule of the approved Reclamation Plan.

LAST MODIFICATION: Not Applicable

MODIFICATION APPROVAL DATE: Not Applicable

(see Appendix A for synopsis of modifications)

The approved Reclamation Plan is an integral part of this permit. Land Entry Agreements and Mine Maps as identified in Part II and Part IV, respectively, are also a part of this permit.

I-001574

Brown, Moore & Patrick, LLC

Home Office Address:

Brown, Moore & Patrick, LLC
641 Little Tony Road
P.O. Box 2356
Murrells Inlet, SC 29576

Local Office Address:

Same as above

Address for Official Mail:

Brown, Moore & Patrick, LLC
P.O. Box 2356
Murrells Inlet, SC 29576

Company personnel and title to be the contact for official business and correspondence (SCDHEC should be notified immediately of any change in address, telephone or fax numbers):

Hunter Brown
Part Owner

Telephone: 843-651-9766
Fax: 843-651-9775

All previous correspondence and phone contact has been with Jack Patrick 843.446.6847; P.O. Box 186, Murrells Inlet, SC 29576. Does the Department need to change address from what is given in application or add Mr. Patrick as another contact?

LOCATION: The mine is located on the Brookgreen, SC U.S.G.S. 7.5' Topographic Map. The approximate U.T.M. coordinates for the site are:

Easting: 679449.5

Northing: 3713348.7

The operation is located in Georgetown County approximately 1.0 mile east of Murrells Inlet, S.C. Specifically the site is located south of S-22-391 (Turntable Road) approximately 0.75 mile southwest of its intersection with S-22-62.

Part II: MINE OPERATIONS

Brown, Moore & Patrick, LLC, also referred to as the operator, is permitted to mine sand/ clay to a maximum depth of 20 feet below existing ground surface on a tract of land owned by the referenced operator. This tract of land is identified in the submitted Land Entry Agreement (LEA). This LEA will be recorded with the appropriate agency (i.e., Register of Mesne Conveyance, Clerk of Court) in Georgetown County.

The site has 0.0 acres of previous mined land not permitted to be affected under this Mine Operating Permit. The Pre-Law Mined Land is identified as PLML on the submitted site map.

MINE/PIT CHARACTERIZATION: The sand/ clay will be excavated and stockpiled on site. Ground clearing will be accomplished with trackhoe and/ or bulldozer. Excavation of sand/ clay will be done with the trackhoe; a bulldozer will be used for stockpiling the material. Grading for reclamation will be done with the trackhoe and/or dozer. Adequate amounts of topsoil shall be stockpiled for reclamation of the affected area; excess topsoil not needed for reclamation may be sold.

PROCESSING PLANT LOCATED ON MINE SITE: No processing will be done on site.

MINE DEWATERING: Mine dewatering will be necessary because the floor of pit extends below the watertable and groundwater will seep through the unconsolidated material. Where feasible, stormwater runoff shall be diverted into the pit. Any accumulation of stormwater and groundwater seepage will be pumped into a sediment basin prior to discharge.

BLASTING: Blasting operations are not permitted at this mine site.

SIGNIFICANT CULTURAL OR HISTORICAL SITES: No significant cultural or historical sites have been identified. Note Part X: *Additional Terms and Conditions* of this Mine Operating Permit.

VISUAL SCREEN: To appropriately screen the operation from view, the operator shall maintain a minimum 30 foot undisturbed setback from all property lines. To the mine side of this undisturbed buffer, the operator shall properly construct and vegetate an earthen berm (minimum of six feet in height).

NOISE MONITORING AND CONTROL: The operator shall use **Best Management Practices (BMP)** to minimize noise from the mine site. This noise BMP should include, at a minimum, proper maintenance of mufflers on equipment (trucks, trackhoes, pumps, etc.) and consideration of special buffering measures if planning to operate equipment during nighttime hours.

OTHER STATE OR FEDERAL PERMITS:

1) NPDES General Permit for Nonmetal Mineral Discharges: Groundwater, Storm Water and Mine Process Wastewater

LAND ENTRY AGREEMENTS: The operator is required to furnish and maintain up-to-date Land Entry Agreements on all lands covered under this permit. Any change in ownership on any portion of land covered by this permit, the operator is responsible for furnishing the appropriate and completed Land Entry Agreement (Forms MR-600 or MR-700) to the Department within 30 days of the change of ownership.

Land Owner(s) as Listed on Land Entry Agreement(s): Brown, Moore, & Patrick, LLC

Total acres of the contiguous tract(s) of land for which the permit is granted:

OWNED	<u>34.8</u>	LEASED	<u>0.0</u>	TOTAL	<u>34.8</u>
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Part III: PERMITTED LAND

This permit allows the operator to conduct mining operations within the permitted land as defined through the Land Entry Agreement submitted as part of the application. Permitted land as defined by Section 48-20-40(18) is "the affected land in addition to (a) lands identified for future mining to become affected land; (b) and undisturbed or buffer area that is or may become adjacent to the affected land". Therefore, this permit grants the operator the right to conduct active mining operations within the specified affected land, delineate land for future mine areas as future reserves and to establish undisturbed buffer zones to mitigate any adverse affects to the surrounding environment.

AFFECTED LAND: Under the current mine plan, the total area to be affected by Brown, Moore & Patrick, LLC, not including future reserves, is 27.9 acres of land. The operator is permitted to affect up to 27.9 bonded acres of land at any point in time in accordance with the **Schedule for Conservation and Reclamation Practices** in the approved Reclamation Plan. Once affected land is released as reclaimed by the Department in accordance with R.89-330, that land is no longer considered affected and the mine operator carries no further reclamation liability. The affected acres are derived from the operator's response in the APPLICATION FOR A MINING PERMIT (Form MR-400), page 3, line 2H.

The amount of the reclamation bond is based on the **total affected area** of land to be reclaimed under the approved Reclamation Plan. Section 48-20-110 specifies bond amount as follows:

<u>AFFECTED AREA</u>	<u>BOND AMOUNT</u>
Less than 10 acres	\$10,000.00
10 acres or more, but less than 15 acres	\$15,000.00
15 acres or more, but less than 25 acres	\$25,000.00
25 acres or more	\$25,000.00 or more

For mining operations permitted to affect less than 25 acres, the operator is required to modify their mining permit **prior to exceeding the total affected acres** for which the mine is permitted. Mining operations that are permitted to affect 25 acres or more shall not exceed the bonded acreage by more than ten percent (10%) without notifying the SCDHEC in writing. The SCDHEC will review bonding levels to determine if an increase in the reclamation bond is necessary.

FUTURE MINE RESERVES: 0.0 acres are identified as future mine reserves and are specified on the mine site map. Prior to the initiation of activity in future reserves, the operator shall submit detailed mine and reclamation plans to the SCDHEC as specified in the **Schedule for Conservation and Reclamation Practices** in the approved Reclamation Plan. Failure to submit such plans to the SCDHEC and commencement of mining activities would be a violation of this permit. Prior to expansion into the future reserves, the operator is required to revise the mine plan and reclamation schedule to include the areas to be affected. The Department shall be notified a minimum of sixty days prior to activities within future mine reserves unless another time frame is specified in the Additional Terms and Conditions.

BUFFER AREAS: 6.9 acres are identified as buffer area, setbacks or areas that will not be disturbed beyond the pre-mine natural state. These buffer areas are identified on the mine site map. Acres designated as buffer areas are not bonded under the reclamation bond. Any disturbance of the buffer areas (i.e. removal of timber) requires this Mine Operating Permit to be modified **prior** to any such disturbance.

TOTAL PERMITTED AREA: 34.0 acres as submitted on the Land Entry Agreement dated January 28, 2005.

Part IV: MAPS

The mine site map was prepared by The Earthworks Group and dated January 28, 2005/ revised September 29, 2005. This map is further identified with the SCDHEC map number SM-1574 -V1 and is a part of the operating permit.

The reclamation map was prepared by The Earthworks Group dated January 28, 2005/ revised September 29, 2005. This map is further identified with the SCDHEC map number RM-1574-V1 and is a part of the operating permit.

Part V: RECLAMATION BOND

The Reclamation Bond is based upon the total affected acres (Part III A. of this permit). Pursuant to Section 48-20-70 and R.89-200, the reclamation bond for this mining permit is set at \$30,000.00. The reclamation bond shall remain in force and continuous throughout the life of the mining operation and shall only be released, partially or in full, back to the operator after the operator has completed reclamation in accordance with the approved Reclamation Plan and the minimum standards in R.89-330.

Financial Institution posting Reclamation Bond:

Name: (To be completed at time of permit issuance)
Address: XX
XX
XX

Type of bond posted for Reclamation Bond: X

Total Bond Amount: \$30,000.00

Account Number: XX